



CRL OP(MD). No.20239 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 17/11/2023

PRESENT

The Hon`ble Mr.Justice V. SIVAGNANAM

CRL OP(MD). No.20239 of 2023

G Saravanakumar

... Petitioner / Accused No.3

Vs

State through
The Inspector of Police,
Sivakasi Town Police Station,
Virudhunagar District.
(Crime No.346/2023.)

... Respondent / Complainant

For Petitioner : Marees Kumar.E, Advocate.

For Respondent : Mr.Rms.Sethuraman,
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No. 346/2023 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/accused, who apprehends arrest at the hands of the respondent police for the offences punishable under sections 328 IPC r/w. 6(b) r/w. 24(1)



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Cigarette and Tobacco Products Act, 2003 in Crime No.346 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on receiving secret information, the respondent police conducted vehicle check up and at that time, A2 and A3 have illegally found in possession of 48 No. Ganesh 701 Tobacco Products. Based on their confession, the petitioner herein is arrayed as accused. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case and hence, prays to grant anticipatory bail.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that during the time of vehicle check A2 and A3 have illegally found in possession of 1 Kg 485 gms of Tobacco Products. He would further submit that based on the confession of A2 and A3 that the petitioner herein has sold the Tobacco products, the petitioner arrayed as A1. He would further submit that it is a second anticipatory bail petition and the earlier petition filed by the petitioner was dismissed by this Court on 09.10.2023 in Crl.O.P(MD).No.17935 of 2023 and the investigation of the case is pending and hence, he strongly opposed to grant anticipatory bail to the petitioner.



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5. Considering the facts and circumstances of the case and also considering the serious nature of allegations made against the petitioner and that there is no change of circumstances after dismissal of the earlier petition, this Court is not inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is dismissed.

sd/-
17/11/2023

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/11/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

To

1.The Inspector of Police,
Sivakasi Town Police Station,
Virudhunagar District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.E.MAREES KUMAR, Advocate (SR-16548[I] dated 20/11/2023)

ORDER
IN
CRL OP(MD) No.20239 of 2023
Date :17/11/2023

ED/JGB /SAR- (29/11/2023) 3P / 4C



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